

01-09-02 A

**UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
026.00305 (PEER-BE-99AB)Total Pages in this Submission
42010702
S PTO**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

INHIBITORS OF INTESTINAL APICAL MEMBRANE NA/PHOSPHATE CO-TRANSPORTATION

and invented by:

Brian E. Pearce

U.S. PTO
10/04/02
01/07/02

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 09/646,654

Which is a:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 61 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Microfiche Appendix (*if applicable*)
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if drawings filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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Total Pages in this Submission
4

Application Elements (Continued)

3. Drawing(s) (*when necessary as prescribed by 35 USC 113*)
a. Formal b. Informal Number of Sheets _____ 9
4. Oath or Declaration
a. Newly executed (*original or copy*) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
c. With Power of Attorney Without Power of Attorney
d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (*usable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. Computer Program in Microfiche
7. Genetic Sequence Submission (*if applicable, all must be included*)
a. Paper Copy
b. Computer Readable Copy
c. Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. Assignment Papers (*cover sheet & documents*)
9. 37 CFR 3.73(b) Statement (*when there is an assignee*)
10. English Translation Document (*if applicable*)
11. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
12. Preliminary Amendment
13. Acknowledgment postcard
14. Certificate of Mailing
 First Class Express Mail (*Specify Label No.:*) ET497419876US

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Accompanying Application Parts (Continued)

15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16. Small Entity Statement(s) - Specify Number of Statements Submitted: _____
17. Additional Enclosures (*please identify below*):

Copy of Assignment as filed for recordation in the prior application (4 pages)

Copy of Verified Statement Claiming Small Entity Status from prior application (2 pages)

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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(Small Entity)

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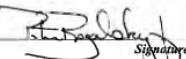
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	3	- 3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				BASIC FEE	\$370.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$370.00

- A check in the amount of \$370.00 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0772 as described below. A duplicate copy of this sheet is enclosed.
- Charge the amount of _____ as filing fee.
 - Credit any overpayment.
 - Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: January 7, 2002


Signature

Peter Rogalskyj, Esq.
Reg. No. 38,601
Braman & Rogalskyj, LLP
P.O. Box 352
Canandaigua, New York 14424-0352
Tel.: 716-393-3004
Fax: 716-393-3001

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Peerce

Docket No.

026.00305 (PEER-BE-99AB)

Serial No.
To Be AssignedFiling Date
HerewithExaminer
To Be AssignedGroup Art Unit
To Be Assigned

Invention: INHIBITORS OF INTESTINAL APICAL MEMBRANE NA/PHOSPHATE CO-TRANSPORTATION

I hereby certify that the following correspondence:

Utility Patent Application Transmittal (4 pages) (in duplicate) with check for \$370.00

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 onJanuary 7, 2002

(Date)

Peter Rogalsky

(Typed or Printed Name of Person Mailing Correspondence)

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I hereby certify that the following correspondence:

Patent Application (including specification, claims, and abstract) (61 pages)

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

January 7, 2002(Date)Peter Rogalskyj*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*ET497419876US*("Express Mail" Mailing Label Number)*

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I hereby certify that the following correspondence:

COPY of Declaration for Utility or Design Patent Application from prior application (2 pages)

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I hereby certify that the following correspondence:

Information Disclosure Statement (2 pages), PTO-1449 (4 pages) (in duplicate), and copies of zero references

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I hereby certify that the following correspondence:

Formal Drawings (9 sheets)

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